

REMARKS

Claims 8, 9, 11-15, 19, 20, and 22-26 will be pending upon entry of the present amendment. Claim 8 is amended.

Applicant thanks the Examiner for indicating the allowability of claim 19 and the allowability of the subject matter of claims 14, 22, 23, 25, and 26.

Claims 8, 9, 11, 13, 15, 20, and 24 are rejected under 35 U.S.C. §102(b) as being anticipated by Chen (U.S. Patent 6,134,788), and claim 12 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Wonderly (U.S. Patent 6,026,575).

The standard that must be met to reject a claim under § 102 is outlined in the MPEP at § 2131:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.... The identical invention must be shown in as complete detail as is contained in the ... claim. (Citations omitted.)

Claim 8 recites, in part, “a manually-releasable fastening device adapted to releasably engage the first and second sides of the handle ... such that, while the fastening device is released, ... the first side is separable from, and rotatable relative to, the second side.” Chen fails to anticipate this limitation of claim 8. The Office Action points to Chen’s cover 20 and base 10 as corresponding, respectively, to the first and second sides of the handle of claim 8, and Chen’s push pin 60 and latch 50 as corresponding, collectively, with the fastening device of claim 8. Accordingly, in order to properly anticipate claim 8, Chen’s push pin 60 and latch 50 must be adapted to releasably engage both the cover 20 and the base 10. A review of Chen’s Figures 1 and 2 reveals that there is no condition under which the cover 20 is engaged by the push pin 60 and latch 50. There is no operative relationship between the push pin 60 and latch 50 and the cover 20. Because Chen fails to anticipate all its limitations, claim 8 is allowable thereover.

Chen also fails to anticipate claim 20, which recites, in part, “a retention post extending between the first and second sides of the handle at a first end thereof.” As can be clearly seen in Chen’s Figures 1 and 2, its push pin 60 and latch 50 do not extend between the cover 20 and the base 10, but rather, they traverse apertures formed in the base 10, while the

cover 20 is wholly independent of them. Clearly, Chen cannot anticipate the limitations of claim 20, which is allowable thereover.


Because the remaining claims depend from the allowable independent claims, and also because they include additional limitations, such claims are likewise allowable. Applicant's decision not to argue the allowability of each of the dependent claims is not to be construed as an admission that such claims would not be allowable but for their dependence on allowable base claims, and applicant reserve the right to present such arguments as may become necessary in the future. If the undersigned representative has overlooked a relevant teaching in any of the references, the Examiner is requested to point out specifically where such teaching may be found.

In light of the above amendments and remarks, Applicant respectfully submits that all pending claims are allowable. Applicant, therefore, respectfully requests that the Examiner reconsider this application and timely allow all pending claims. The Examiner is encouraged to contact Mr. Bennett by telephone at (206) 694-4848 to discuss the above and any other distinctions between the claims and the applied references, if desired. If the Examiner notes any informalities in the claims, he is encouraged to contact Mr. Bennett by telephone to expeditiously correct such informalities.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

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